

Remarks/Arguments

Claims 1-7 and 9-20 are presently pending in the application. Claims 1 and 9 are amended and claim 8 is canceled without prejudice. Claims 14-20 are new.

Claims 1-3, 5 and 7 were rejected under 35 U.S.C. 102(b) as being anticipated by Hasegawa (U.S. Pat. No. 6, 040, 909). Further, claims 4 and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hasegawa. Applicant's note that Hasegawa relates to a system for detecting the surface position of a wafer in a semiconductor manufacturing process (Col. 2, lines 41-49), whereas the optical device of claim 1 is for measuring the distance between the optical device and an object. The differences between the cited art (e.g., Hasegawa) and the claimed invention are expressed in claim 8, as recognized by the Examiner. The Examiner indicated that claim 8 would be allowable if rewritten in independent form including all of the limitations of claim 1. Accordingly, Applicant has incorporated all of the limitations of claim 8 into claim 1, and canceled claim 8.

Applicants thank Examiner for recognizing the patentability of claims 10-13 and indicating their allowability. Applicants have introduced new claims 14 through 20, which depend upon claim 10. Claims 14-20 are patentable for at least similar reasons as claim 10.

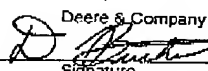
For the foregoing reasons, it is believed that this application is in condition for allowance, and such allowance is respectfully requested. Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

Respectfully,


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